

UNITED STATES DISTRICT COURT
Northern District of OklahomaENTERED ON DOCKET
DATE 8-30-95

UNITED STATES OF AMERICA

v.

Case Number 95-CR-025-001-K

FILEDPIETER SOLOMON
Defendant.

AUG 30 1995

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, PIETER SOLOMON, was represented by Steve Greubel.

On motion of the United States the court has dismissed count(s) 2, 6, 7-13, and 17-24.

The defendant pleaded guilty to count(s) 1, 3, 4, 5, 14, 15, and 16 of the Superseding Indictment on May 18, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, & 841(a)(1)	Conspiracy to Distribute and to Distribute Methamphetamine	1/17/95	1
21 USC 841(a)(1) & 18 USC 2	Distribution of Methamphetamine and Aiding & Abetting	12/20/94	3,4 & 5
26 USC 5861(e)	Unlawful Transfer of Firearms	01/13/95	14,15, & 16

As pronounced on August 18, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 350.00, for count(s) 1, 3, 4, 5, 14, 15, and 16, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 29 day of August, 1994.

 The Honorable Terry C. Kern
 United States District Judge

Defendant's SSN: 589-28-9231

Defendant's Date of Birth: 11/12/66

Defendant's residence and mailing address: 11501 E. 68th St. N., Owasso, Oklahoma 74055

Defendant: PIETER SOLOMON
Case Number: 95-CR-025-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 40 months in Counts 1, 3, 4, 5, 14, 15, and 16 as to each count to run concurrently, each to the other.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate the El Reno satellite camp as the institution of confinement.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on September 18, 1995.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: PIETER SOLOMON
Case Number: 95-CR-025-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in counts 1, 3, 4, 5, 14, 15, and 16 as to each count to run concurrently, each to the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: PIETER SOLOMON
Case Number: 95-CR-025-001-K

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a total fine of \$ 4,000.00 as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: PIETER SOLOMON
Case Number: 95-CR-025-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	I
Imprisonment Range:	37 months to 46 months - Cts. 1,3,4,5,14,15, & 16
Supervised Release Range:	3 to 5 years - Cts. 1,3,4, & 5 2 to 3 years - Cts. 14, 15, and 16
Fine Range:	\$ 7,500 to \$ 4,000,000 - Cts. 1,3,4,5,14,15, and 16
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 29 1995

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
GAYLA WOOD,)
)
Defendant.)

No. 95-CR-86-H

ENTERED ON DOCKET

DATE AUG 30 1995

ORDER FOR DISMISSAL

Now on this 28th day of August, 1995 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Gayla Wood, in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Gayla Wood, is dismissed, without prejudice.

IT IS SO ORDERED.

S/ SVEN ERIK HOLMES

SVEN ERIK HOLMES
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

AUG 28 1995

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY RAY RICE,

Defendant.

No. 93-~~Q~~145-C

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET

DATE AUG 29 1995

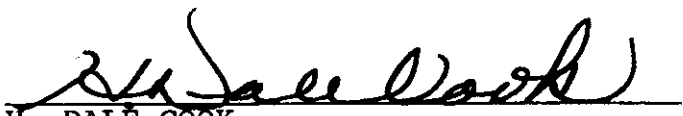
ORDER

Before the Court is the motion, filed August 23, 1995, of the defendant Bobby Ray Rice for the Court to set aside its order filed July 18, 1995 denying his January 20, 1995 motion under 28 U.S.C. § 2255.

Rice contends that because he filed a supplemental motion on July 12, 1995 the Court should not have denied the original motion without also disposing of the supplemental motion. Rice contends that he has been denied due process in that the denial of his motion is not final until the supplemental motion is addressed. He requests that the court vacate and set aside its July 18, 1995 Order until it resolves the supplemental motion "[a]nd make the record speak the truth nunc pro tunc."

The Court finds that the record "speaks the truth" as it stands. Rice's original motion is denied and the supplemental motion is still pending; and that is what the record shows. No reasons having been given for vacating the order of July 18, 1995 the motion of Bobby Ray Rice filed August 23, 1995 is hereby DENIED.

IT IS SO ORDERED this 28th day of August, 1995.


H. DALE COOK
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT ENTERED ON DOCKET
Northern District of Oklahoma

DATE 8-25-95

UNITED STATES OF AMERICA

v.

Case Number 95-CR-047-001-K

DEAN HOUSE
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

FILED

AUG 25 1995

The defendant, DEAN HOUSE, was represented by Eric Bolusky.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

On motion of the United States the court has dismissed count(s) 2, 3, and 4.

The defendant pleaded guilty to count(s) 1 of the Information on May 18, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1344(1)	Bank Fraud	05/30/94	1

As pronounced on August 18, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Information, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 25 day of August, 1995.


The Honorable Terry C. Kern
United States District Judge

Defendant's SSN: 509-26-0516

Defendant's Date of Birth: 12/23/30

Defendant's residence and mailing address: Rt. 2, Box 478, Claremore, Oklahoma 74017

Defendant: DEAN HOUSE
Case Number: 95-CR-047-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 0 months.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DEAN HOUSE
Case Number: 95-CR-047-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DEAN HOUSE
Case Number: 95-CR-047-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$10,000.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Peoples State Bank P.O. Box 609 Claremore, Oklahoma 74018	\$762.75
Kansas Banker Surety Co. 714 Capital Federal Bldg. 700 Kansas Ave. Topeka, Kansas 66603-3881	\$5,555.71
American Forging 16709 E. Admiral Pl. Tulsa, Oklahoma 74116	\$3,681.54

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: DEAN HOUSE
Case Number: 95-CR-047-001-K

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except: Amends Presentence Report to include fees paid on credit line in 1993 that totaled \$3,191 per month.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	1
Imprisonment Range:	10 months to 16 months - Ct. 1
Supervised Release Range:	3 to 5 years - Ct. 1
Fine Range:	\$ 3,000 to \$ 1,000,000 - Ct. 1
Restitution:	\$ 98,322.70

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason(s): Because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): Said sentence is a downward departure from the applicable guideline sentencing range of 10 to 16 months due to an unusual combination of the defendant's age, the aberrant nature of his behavior, his health condition, and his unique family responsibilities in caring for his wife who recently suffered a stroke and is unable to work. For these reasons, the Court chooses to depart from the otherwise applicable guideline range as authorized by policy statements at U.S.S.G. § 5K2.0 - Grounds for Departure. Accordingly, the Court reduces the total offense level by 4 points, for a total offense level of 8, Criminal History Category I, for a guideline range of from 0 to 6 months.

PP

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

AUG 24 1995

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BETTY MARIE VAN OVER,

Defendant.

Case No. 93-CR-172-02-E

ENTERED ON DOCKET

DATE 8/24/95

O R D E R

Now before the Court is the Petition for Early Termination of Probation (Docket #19) of the Defendant Betty Marie Van Over.

Mrs. Van Over seeks early termination of her probation, pursuant to 18 U.S.C. §3564(c), arguing that she has "adhered flawlessly to her conditions of probation," and that due to her age, health, and financial condition, probation places a strain on her.

The Court has considered the factors enumerated in 18 U.S.C. §3553(a), and concludes, based on the report of the probation officer supervising Mrs. Van Over in California, that early termination is not warranted at this time.

Defendant's Petition for Early Termination of Probation is denied.

IT IS SO ORDERED THIS 24th DAY OF AUGUST, 1995.

United States District Court 1 SS
Northern District of Oklahoma 1
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By

Deputy
Deputy

James O. Ellison
JAMES O. ELLISON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 24 1995

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN MAURICE FULLER,

Defendant.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Case No. 91-CR-143-E

ENTERED ON DOCKET

DATE 8/24/95

O R D E R

Now before the Court is the Petition for Remission of Fine or Special Assessment (Docket #23) and the Motion Requesting to be Declared Indigent and for Dismissal of Restitution Amount (Docket #24) of the Defendant Brian Maurice Fuller (Fuller).


Defendant requests that the Court dismiss the restitution amount (\$1,052,801.09), based on inability to pay. While Defendant also requests a remission of fine, the judgment reveals that a fine was not assessed against Defendant based on his inability to pay.

Defendant argues that he does not have the funds to pay the restitution amount, that he has no assets, and that his family is paying his legal bills, therefore the restitution amount should be dismissed. The Court notes, however, that the Judgment provides that "any amount not paid immediately shall be paid during the term of confinement, with an unpaid balance payable at the discretion of the U.S. Probation Office during the term of supervised release." Defendant was sentenced to 195 months confinement on June 22, 1992,

and therefore has substantial time left to serve. The Court finds therefore that any consideration of dismissal or reduction of the restitution amount, prior to his release, is premature at this time.

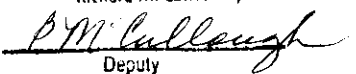
Defendant's Petition for Remission of Fine or Special Assessment (Docket #23) and Motion Requesting to be Declared Indigent and for Dismissal of Restitution Amount (Docket #24) are denied.

IT IS SO ORDERED THIS 24TH DAY OF AUGUST, 1995.


JAMES O. ELLISON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By 
Deputy

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 21 1995 *rm*

UNITED STATES OF AMERICA

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

v.

Case Number 89-CR-137-001-C

ROBERT LESLIE JOHNSON
Defendant.

ENTERED ON DOCKET

DATE 8-22-95

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, ROBERT LESLIE JOHNSON, was represented by Thomas Seymour and Stan Monroe.

The defendant has been found not guilty on count 1 of the Indictment and is discharged as to such count. IT IS ORDERED that the Defendant is acquitted and discharged, and any bond is exonerated.

The defendant was found guilty by jury on August 24, 1990, on counts 2, 3, and Counts 32 through 63 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1956(a)(1) (A)(i)	Laundering Monetary Instruments	01/17/89	2&3
18 USC 1957	Engaging in Monetary Transactions in Property Derived from Specified Unlawful Activity	02/16/89	32 thru 63

As pronounced on August 15, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 1,700, for counts 2, 3, and 32 through 63 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 18th day of August, 1995.

Defendant's SSN: 548-53-8884

Defendant's Date of Birth: 08/12/43

Defendant's residence and mailing address: Federal Medical Center, Fort Worth, Texas

[Signature]
The Honorable H. Dale Cook
United States District Judge

ss
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By *[Signature]*
Deputy

Defendant: ROBERT LESLIE JOHNSON
Case Number: 89-CR-137-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 188 month.

Said terms of imprisonment as to each count are as follows:

Count 2 - 188 months

Count 3 - 188 months

As to each Counts 32 through 63 - 120 months.

All counts to run concurrently.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ROBERT LESLIE JOHNSON
Case Number: 89-CR-137-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years, as to all counts, to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: ROBERT LESLIE JOHNSON
Case Number: 89-CR-137-001-C

STATEMENT OF REASONS

The Court adopts the factual findings and guideline application in the presentence report except the Court finds that the Defense and the Government stipulated to an offense level of 31, Criminal History Category IV, with a corresponding range of imprisonment of 151 to 188 months. The presentence report calculated the offense level at 33, Criminal History Category of IV, with a corresponding imprisonment range of 188 to 235 months.

Because the Court finds that it would have imposed a sentence of 188 months under either scenario, a resolution of the disputed offense level need not be made.

Guideline Range Determined by the Probation Department:

Total Offense Level:	33	
Criminal History Category:	IV	
Imprisonment Range:	188 months to 235 months	(Cts. 2&3)
	120 months	(Cts. 32 thru 63)
Supervised Release Range:	2 to 3 years	
Fine Range:	\$ 2,272,345.20 to \$ 6,817,035.60	(Cts. 2&3)

Guideline Range Determined by the Defense and the Government:

Total Offense Level:	31	
Criminal History Category:	IV	
Imprisonment Range:	151 months to 188 months	(Cts. 2&3)
	120 months	(Cts. 32 thru 63)
Supervised Release Range:	2 to 3 years	

Restitution: \$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: The Court considers the extensive nature of this fraud and the defendant's previous criminal history in arriving at this point in the guideline range.

FILED**AUG 16 1995****Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT****UNITED STATES DISTRICT COURT
Northern District of Oklahoma****UNITED STATES OF AMERICA**

v.

Case Number 95-CR-51-B

**JAMES DALE KEEVER a/k/a James Dale Christian
Defendant.****ENTERED ON DOCKET****AUG 17 1995****DATE** _____**JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)**

The defendant, JAMES DALE KEEVER a/k/a James Dale Christian, was represented by Curtis A. Parks.

The defendant pleaded guilty on May 22, 1995, to count(s) 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

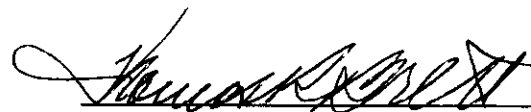
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:922(g)(1)	Possession of a Firearm After Conviction of a Felony	05/19/94	1

As pronounced on August 16, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 16th day of August, 1995.



The Honorable Thomas R. Brett, Chief
United States District Judge

Defendant's SSN: 244-08-2347


Defendant's Date of Birth: 09/17/62

Defendant's residence and mailing address: 8234 W. 51st Street, Tulsa, Oklahoma 74107

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By 
Deputy

Defendant: JAMES DALE KEEVER a/k/a James Dale Christian
Case Number: 95-CR-51-B

PROBATION

The defendant is hereby placed on probation for a term of 2 year(s).

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 2 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JAMES DALE KEEVER a/k/a James Dale Christian
Case Number: 95-CR-51-B

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,500. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JAMES DALE KEEVER a/k/a James Dale Christian
Case Number: 95-CR-51-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	12
Criminal History Category:	II
Imprisonment Range:	12 months to 18 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ -0-

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): Upon motion of the government, as a result of defendant's substantial assistance.



FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 16 1995

Richard M. Lawrence, Court Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-46-02-B

ENTERED ON DOCKET

DATE AUG 17 1995

KEVIN GUICE a/k/a Troy Banks
 Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, KEVIN GUICE a/k/a Troy Banks, was represented by Jerry E. Truster.

The defendant pleaded guilty on June 12, 1995, to count(s) 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:846, 841(a)(1)	Conspiracy to Distribute Controlled Substance	03/28/95	1

As pronounced on August 16, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 16th day of August, 1995.




The Honorable Thomas R. Brett, Chief
 United States District Judge

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By  Deputy

Defendant's SSN: 567-19-6205

Defendant's Date of Birth: 09/07/63

Defendant's residence and mailing address: 12863 Louver, Pacomia, California 91331

Defendant: KEVIN GUICE a/k/a Troy Banks
Case Number: 95-CR-46-02-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated in Southern California or the Western Region of the United States.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: KEVIN GUICE a/k/a Troy Banks
Case Number: 95-CR-46-02-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: KEVIN GUICE a/k/a Troy Banks
Case Number: 95-CR-46-02-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	IV
Imprisonment Range:	60 months to 71 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 7,500 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 15 1995

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MOSE STEPHENS, JR.
a/k/a/ STEVE M. STEPHENS,

Defendant.

Case No. 86-CR-112-C

ENTERED ON DOCKET

DATE 8/16/95

ORDER

Before the Court is the motion of defendant Mose Stephens for return of property filed pursuant to 28 U.S.C. §§2461 and 2465. Stephens seeks return of property which he contends was seized in violation of the double jeopardy clause of the Fifth Amendment.

Stephens relies on United States v. \$405,089.23 U.S. Currency, 33 F.3d 1210 (9th Cir. 1994). This case involved the constitutional limits on the government's ability to seek criminal penalties and civil forfeiture based on the same violations of law. In that case, the government brought a criminal prosecution against the claimants at approximately the same time as it commenced a separate civil forfeiture action under 18 U.S.C. §981(a)(1)(A) and 21 U.S.C. §881(a)(6). The Ninth Circuit held that the government violated the double jeopardy clause by obtaining a conviction in the criminal case and then separately pursuing civil forfeiture. The claimants contested government's request for forfeiture in the separate civil action. In finding a violation of the double jeopardy clause the Ninth Circuit stated, "[t]he most basic element of the Double Jeopardy Clause is the protection it affords against

[Signature]

successive prosecutions--that is, against efforts to impose punishment for the same offense in two or more separate proceedings." 33 F.3d at 1215. The court found that jeopardy had clearly attached since the criminal conviction had been entered over a year prior to a different district judge in a different proceeding awarding the government title to nearly all of claimant's property, because of the properties' connection with the "very offenses" that resulted in the criminal punishment. Id.

In contrast, at the conclusion of the evidence in defendant Mose Stephens' criminal trial, Stephens stipulated to the forfeiture of the properties listed in the indictment, in the event that he was found guilty of drug trafficking by the jury. On January 26, 1987, the jury returned a verdict of guilty to all counts contained in the indictment. On February 23, 1987, pursuant to the agreement of the parties, the Court entered an Order of Forfeiture in the criminal case as to any and all interests of defendant Mose Stephens, in the properties derivative of the drug trafficking conviction. The order of criminal forfeiture was entered pursuant to 21 U.S.C. §853.

A separate civil forfeiture proceedings was subsequently brought solely to resolve any interest of other potential claimants to the subject properties in order for the government to obtain clear title. By stipulation, Stephens' interests in the properties had already been criminally forfeited prior to the government initiating the separate civil forfeiture proceedings. Stephens did not participate in or contest the separate civil proceeding.

Mose Stephens' consent to criminal forfeiture, does not raise double jeopardy concerns, because the forfeiture request was involved in the same proceeding as the

criminal trial. The Ninth Circuit has set forth the distinguishing character of criminal forfeiture, by stating:

A forfeiture case and a criminal prosecution would constitute the *same* proceeding only if they were brought in the same indictment and tried at the same time. The government could have sought criminal forfeiture in this case pursuant to 18 U.S.C. §§ 982, 3552 and 21 U.S.C. § 853. If it had done so and included the forfeiture count in the same indictment as the other criminal counts and then proceeded to trial against the defendants on all counts, the forfeiture case and the criminal prosecution would have constituted the "same proceeding."

U.S. v. \$405,089.23, 33 F.3d at 1217.

Defendant Mose Stephens' has failed to establish that he was subjected to separated contested proceedings, and thus his claim of double jeopardy must fail.


Defendant Stephens also relies on Austin v. United States, 113 S.Ct. 2801 (1993) in asserting that by the government bringing forfeiture proceedings, he was unconstitutionally "punished" twice for the same offense. In Austin, the Supreme Court focused its concern on whether a subsequent civil forfeiture proceeding constituted punishment violating the Eighth Amendment prohibition against excessive fines.

Austin does not lend support for defendant Stephens' assertions. In conjunction with Mose Stephens' criminal trial, government sought forfeiture of certain property based on Stephens' stipulation that the properties were derived from the profits of his illegal drug transactions. Stephens' did not contest government's application for the Order of Forfeiture. Government's forfeiture of the fruits of illegal activities within one proceeding does not give rise to issues involving excessive fines. "[T]he double jeopardy clause does not bar cumulative punishments imposed in a single proceeding -- whether these punishments be the ordinary combination of prison plus a fine, or consecutive terms of

prison, or prison plus a forfeiture." United States v. Torres, 28 F.2d 1463, 1464 (7th Cir. 1994).

Accordingly, the motion of the defendant Mose Stephens for return of property is hereby DENIED.

IT IS SO ORDERED this 15th day of August, 1995.


H. DALE COOK
United States District Judge

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

CLERK'S OFFICE

UNITED STATES COURT HOUSE

333 West Fourth Street, Room 411

TULSA, OKLAHOMA 74103-3881

RICHARD M. LAWRENCE
CLERK

(918) 581-7796

August 15, 1995

ENTERED ON DOCKET

TO: Counsel/Parties of Record

DATE 8/16/95

RE: Case No. 86-CR-112-C
U.S. v. Mose Stephens

This is to advise you that Judge H. Dale Cook entered the following Minute Order this date in the above case:

Defendant's motion for leave of Court to file motion for new trial is DENIED. Defendant's motion is not in compliance with the time requirements set forth in Rule 33 F.R.Cr.P.

Very truly yours,

RICHARD M. LAWRENCE, CLERK

By: Beverly M. Cullough
Deputy Clerk

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By B.M. Cullough
Deputy

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

AUG 15 1985

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUBEN HERNANDEZ,

Defendant.

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Richard M. Lamm
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

85-cr-103-C
Case No. ~~94-G-884-G~~

ENTERED ON DOCKET

DATE 8/16/95

ORDER

Before the Court is the motion of the defendant Ruben Hernandez, for the Court to set aside, vacate or correct a portion of the sentence imposed on him on October 28, 1985. Specifically, defendant contends that the imposition of a special parole term was not authorized under the applicable statutory law. Defendant files this motion pursuant to 28 U.S.C. §2255.

On June 18, 1985, Hernandez was arrested and charged with possession with intent to distribute cocaine, in violation of 21 U.S.C. §841(a)(1). After entering a plea of guilty, Hernandez was sentenced to a term of imprisonment of five and one-half years, pursuant to 18 U.S.C. §4025(b)(2), together with a special parole term of five years. Defendant asserts that the Court erred in imposing a special parole term as part of his October 28, 1985 sentence, because the version of 21 U.S.C. §841(b)(1)(B) in effect at the time of his offense allegedly did not provide for special parole. The Court disagrees.

When Hernandez committed his offense on June 18, 1985, section 841(b)(1)(B) included a special parole term of at least three years in addition to imprisonment. See, 21 U.S.C. §841(b)(1)(B) (Supp.III 1985). Because Hernandez committed his offense before

October 27, 1986, the amendment eliminating special parole does not apply to him. See, United States v. McNeal, 932 F.2d 1255 (8th Cir.1991)(per curiam)(citing Gozlon-Peretz v. United States, 111 S.Ct. 840, 849 (1991)). See also, United States v. Bassett, 914 F.2d 249, 1990 WL 128287 (4th Cir.1990)(unpublished).

Accordingly, the motion of defendant Ruben Hernandez to set aside, vacate or modify sentence is hereby DENIED.

IT IS SO ORDERED this 15th day of August, 1995.



H. DALE COOK

United States District Judge

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By Bar McCullough
Deputy

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED**AUG 14 1995**

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-050-001-B

MICHAEL LYNN GEORGE
 Defendant.

ENTERED ON DOCKETDATE 8-15-95

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, MICHAEL LYNN GEORGE, was represented by Regina Stephenson.

On motion of the United States the court has dismissed count(s) 1 of the Indictment.

The defendant pleaded guilty to count(s) 2 of the Indictment on June 9, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

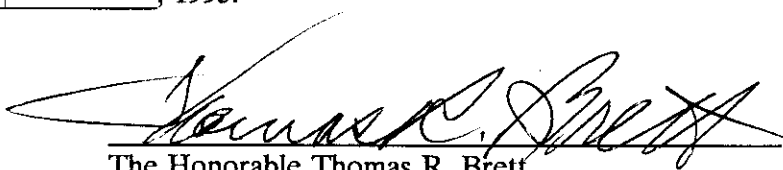
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession of Methamphetamine/Amphetamine With Intent to Distribute	03/23/95	2

As pronounced on August 11, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 14th day of August, 1995.


 The Honorable Thomas R. Brett
 United States District Judge

Defendant's SSN: 564-77-2695

Defendant's Date of Birth: 10/14/67

Defendant's residence and mailing address: 8515 W. 51st St., Oakhurst, Oklahoma 74105

United States District Court) SS
 Northern District of Oklahoma)

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

By  Richard M. Lawrence, Clerk
 Deputy

Defendant: MICHAEL LYNN GEORGE
Case Number: 95-CR-050-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons: Designate a facility where defendant can receive drug treatment. Recommend the designated facility be Federal Correctional Center at El Reno, Oklahoma.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: MICHAEL LYNN GEORGE

Case Number: 95-CR-050-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: MICHAEL LYNN GEORGE
Case Number: 95-CR-050-001-B

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: MICHAEL LYNN GEORGE
Case Number: 95-CR-050-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	23
Criminal History Category:	III
Imprisonment Range:	60 months to 71 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



FILED

DATE AUG 14 1995

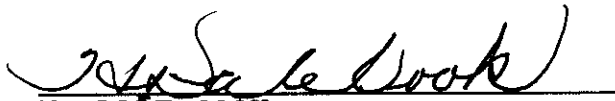
The Court will comment, however, that defendant Ternes seeks to have her sentence reduced based upon "particularly extraordinary

and or compelling reasons." Ms. Ternes requests the Court to reduce her sentence in order that she can take care of her aging mother and other of her elderly relatives. Ms. Ternes contends that her incarceration is causing undue hardship on her family.

Ternes' allegation of "extraordinary and compelling" reasons do not relate to her personal hardships, but rather, the hardships that her actions have caused to others. It is regrettable that individuals who violate the law fail to consider the consequences of their actions prior to engaging in unlawful activity. While the Court is sympathetic to the hardships suffered by others due to the conduct of the defendant, the Court finds that such consequences are the predictable result of illegal activities and thus would not constitute grounds for leniency to those who willfully violate the law.

Accordingly, due to the Court's lack of jurisdiction, defendant's motion for modification of sentence filed on February 23, 1995, is hereby DISMISSED.

IT IS SO ORDERED this 10th day of August, 1995.


H. DALE COOK
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

F I L E D

AUG 11 1995

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIKE YOUNGPETER,

Defendant.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

No. 91-CR-50-C

ENTERED ON DOCKET
AUG 14 1995
DATE _____

ORDER

Before the Court is defendant's motion to vacate, set aside or correct the sentence the Court imposed on him December 11, 1991, filed pursuant to 28 U.S.C. §2255. Defendant was tried before a jury and convicted of conspiracy to manufacture and distribute methamphetamine. Following sentencing defendant perfected a direct appeal challenging his conviction and sentence. The case was affirmed by the Tenth Circuit on February 16, 1993. See, United States v. Mike Youngpeter, 986 F.2d 349 (10th Cir.1993).

Youngpeter motions the Court to set aside his sentence, asserting four grounds for relief:

- (1) Ineffective assistance of counsel, in that Youngpeter's attorney allegedly failed to make discovery motions and objections concerning the charges brought against Youngpeter;
- (2) The sentence imposed on Youngpeter allegedly resulted from a presentence report which was prepared by a prejudicial and bias probation officer;
- (3) Government allegedly failed to prove at trial the strength of methamphetamine involved in the conspiracy;
- (4) The probation officer allegedly relied on inaccurate information and engaged in "wild speculation" in formulating his conclusion regarding the quantity and quality of the methamphetamine involved in the conspiracy.

The Court has reviewed the record in this case and finds that the sentence imposed is just and proper and that defendant's grounds for vacation of said sentence are without merit.

The Court finds untenable Youngpeter's assertion of ineffective assistance of counsel. The record reflects that Youngpeter's attorney, C.W. Hack, filed pretrial motions for production of co-conspirator statements, for production of Jencks Act materials (18 U.S.C. §3500) and for severance. In the response pleading, government indicated that it would comply with production of all discovery materials required under the Jencks Act, Rule 16 F.R.Cr.P. and Brady v. Maryland, 373 U.S. 83 (1963). The Court observed Mr. Hack at trial and he appeared prepared and knowledgeable concerning the facts and evidence. Defense counsel's conduct at trial negates Youngpeter's claim of ineffective assistance.

Youngpeter also discredits his attorney for (1) failing to "require the government to prove the basic elements charged in the indictment," (2) failing to order a chemical analysis on the drugs involved in the conspiracy and (3) failing to present an expert witness to rebut "factual findings concerning the charges" contained in the indictment.

Youngpeter has not raised legally sufficient grounds to support a claim of ineffective assistance of counsel. Youngpeter has a misconception of the function and purpose of his counsel. It is not the function of defense counsel to "require the government to prove the basic elements charged in the indictment." Rather it is the law which imposes the burden on the government to prove each of the elements of the offense charged. In this instance, as in all criminal cases, the jury was instructed that the burden is at all times on the government to prove each of the essential elements beyond a reasonable doubt. The presumption of innocence remains with the defendant unless and until government meets this burden. In a criminal case,

the defendant is not obligated to present any evidence. However, in this case Youngpeter testified and presented several witnesses on his behalf. After receipt of conflicting evidence, the jury returned a verdict in favor of the government, indicating that government had met its burden.

This case was somewhat unique in that Johnny Glover, the leader of the conspiracy, as well as other members of the conspiracy testified against Youngpeter. Mr. Youngpeter's conviction resulted from such testimony, rather than ineffectiveness of his counsel.

Youngpeter faults his attorney for failing to order a chemical analysis on the methamphetamine involved in the conspiracy. There was no opportunity for Mr. Hack to order a chemical analysis because the methamphetamine was not seized by the government. Youngpeter's conviction of drug conspiracy was based on the testimony of the case agent, and witnesses who were users, purchasers, and co-conspirators, each of whom testified as to their direct knowledge of the identity of the drug involved in the conspiracy. In each instance, Mr. Hack cross-examined the witnesses who testified against Youngpeter. However, the jury weighed the credibility of these witnesses in favor of the government.

Similarly, Youngpeter faults his attorney for failing to present an expert witness to rebut "factual findings concerning the charges" contained in the indictment. Youngpeter again misperceives the purpose of an indictment. The indictment does not contain any "factual findings." The jury was properly instructed that the indictment cannot be viewed as evidence against the accused. The indictment is merely a recitation of the charges that are brought against the defendant and each of those charges must be established by the evidence presented. This was not a case in which an expert testimony was necessary to rebut the charges. The charges

contained in the indictment were primarily factual allegations, which could be proved or disproved by lay witnesses. The Court finds that there is no merit to Youngpeter's contention of ineffective assistance of counsel.

The second of Youngpeter's claims is that the presentence report was prepared by a bias probation officer. To support his claim of bias and prejudice, Youngpeter compares his presentence report with co-defendant Melvin Reynolds' presentence report. Both reports were prepared by the same probation officer. Youngpeter focuses his complaint on the probation officer's recommended classification of Youngpeter as a mid-level distributor. This classification resulted from Youngpeter's knowledge of the entire quantity of drugs manufactured within the scope of the conspiracy and in him receiving a longer term of imprisonment than Reynolds. Reynolds was classified as a minor or minimal participant and thus his role was less culpable and his sentence less severe.

On direct appeal, Youngpeter alleged error in the Court adopting the probation officer's recommended classification of Youngpeter as a mid-level distributor. The circuit court affirmed Youngpeter's classification as a mid-level distributor by stating that "there exists considerable evidence to establish that Mr. Youngpeter was knowledgeable and was an integral part of the conspiracy." Youngpeter's complaint of bias and prejudice on the part of the probation officer is nothing more than a second effort to have the quantity of drugs chargeable to him reduced. Since this issue was affirmed on direct appeal it cannot be revisited in the form of a §2255 motion.

Youngpeter's third contention is that government failed to prove that the narcotic drug involved in the conspiracy was methamphetamine rather than amphetamine. The Sentencing

Guidelines Drug Equivalency tables distinguish between methamphetamine and amphetamine by assigning a larger cocaine-gram equivalent to methamphetamine than is assigned to amphetamine. This equivalency assignment would generally result in a more severe penalty if methamphetamine rather than amphetamine is involved in the drug trafficking offense.

Youngpeter argues that the evidence failed to establish that methamphetamine was the unlawful drug involved in the conspiracy as charged in the indictment. Youngpeter's contentions are contrary to the record. Agent Earl Beaver with the Oklahoma Bureau of Narcotics, testified at trial that he was present at the various clandestine laboratories where the illegal drugs were manufactured in this conspiracy. Using photographs taken at the laboratories, Agent Beaver identified the presence of the precursor chemicals used to manufacture methamphetamine. Agent Beaver also testified that based on his observations he concluded that the laboratories were being used to manufacture methamphetamine. Upon questioning, Agent Beaver stated:

- Q. Based on your experience and training, did you reach any conclusions about what this equipment and site was used for?
- A. Judging on some of the chemicals I saw and equipment, I'd say someone was manufacturing methamphetamine.

Moreover, each of the witnesses who were users, purchasers, and co-conspirators, uniformly testified that methamphetamine was the drug which was manufactured and distributed in the conspiracy. There is nothing in the record which would warrant any further investigation into the quality of the methamphetamine. Johnny Glover, the leader of the conspiracy, testified that he sought the help and assistance of a more experienced "cook" and improved the quality of the methamphetamine that he was manufacturing. There is no merit in Youngpeter's

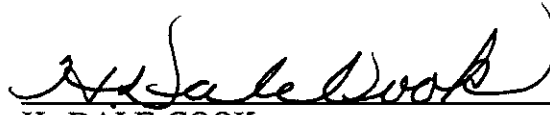
contention that the Court erred in failing to require an investigation into the quality, strength or type of the methamphetamine involved in the conspiracy prior to Youngpeter's sentencing.

Youngpeter's fourth contention is that the probation officer relied on inaccurate information and engaged in "wild speculation" in formulating his conclusion regarding the quantity and quality of the methamphetamine involved in the conspiracy. Under the Sentencing Guidelines, §2D1.1, a defendant's base offense level is determined by the type and quantity of the illegal substance as listed on the chemical table. If no listed chemical was seized in connection with the offense, or the amount seized does not adequately reflect the severity of the crime, the quantity of the drug may be estimated upon proper testimony. The trial court, upon proper testimony, may estimate the ultimate quantity of producible drugs. United States v. Short, 947 F.2d 1445 (10th Cir. 1991). In arriving at a reasonable estimation of the quantity of methamphetamine chargeable to Youngpeter, the probation officer reviewed the trial testimony, interviewed reliable witnesses and also considered Youngpeter's trial testimony. The probation officer's recommendation was adopted by the Court because it was conservatively calculated from reliable sources, which was clearly supported by a preponderance of evidence adduced at trial. See, generally, United States v. Wagner, 994 F.2d 1467, 1470 (10th Cir.1993).

On direct appeal, Youngpeter unsuccessfully challenged the Court's determination of the quantity of methamphetamine credited to Youngpeter in sentencing. The circuit court's affirmation on this issue precludes Youngpeter's efforts to have it reconsidered in this forum.

Accordingly, defendant's §2255 motion to vacate, set aside or correct his sentence is hereby DENIED.

IT IS SO ORDERED this 10th day of August, 1995.


H. DALE COOK
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

AUG 11 1995

UNITED STATES OF AMERICA

v.

Case Number 95-CR-043-001-C

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

KWABENA AGYENANG
Defendant.

ENTERED ON DOCKET

DATE 8-11-95

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, KWABENA AGYENANG, was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed count(s) 2, 3, and 4 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Indictment on May 22, 1995, and Count 5 of the Indictment on May 4, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1542	False Statement in Application for Issuance of Passport	02/08/95	1
18 USC 922(g)(5) and 924(a)(2)	Illegal Alien in Possession of a Firearm	03/10/95	5

As pronounced on August 8, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 and 5 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 10th day of Aug, 1995.



The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: None

Defendant's Date of Birth: 10/07/54

Defendant's residence and mailing address: 2025 N. Rosedale, Tulsa, Oklahoma 74127

United States District Court) SS
Northern District of Oklahoma)

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. Miller

5.

Defendant: KWABENA AGYENANG
Case Number: 95-CR-043-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months on Count 1; and 12 months on Count 5, to run concurrently, each with the other.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: KWABENA AGYENANG
Case Number: 95-CR-043-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years on each of Counts 1 and 5, to run concurrently each with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, he shall not reenter the United States illegally. Upon any reentry into the United States during the period of Court ordered supervision, the defendant shall report to the nearest U.S. Probation office within 72 hours.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: KWABENA AGYENANG
Case Number: 95-CR-043-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months, Cts. 1 and 5
Supervised Release Range:	2 to 3 years, Cts. 1 and 5
Fine Range:	\$ 3,000 to \$ 30,000, Cts. 1 and 5
Restitution:	\$ N/A

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 11 1995

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 95-CR-042-001-C

JOSEPH ERASTO AVILA
 Defendant.

ENTERED ON DOCKET

DATE 8-11-95

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, JOSEPH ERASTO AVILA, was represented by Jack Winn.

The defendant pleaded guilty to count(s) 1 and 2 of the Indictment on May 4, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession of Cocaine With Intent to Distribute	03/17/95	1
18 USC 924(c)(1)	Possession and Use of a Firearm During a Drug Trafficking Offense	03/17/95	2

As pronounced on August 8, 1995, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 and 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 10th day of Aug, 1995.

H. Dale Cook
 The Honorable H. Dale Cook
 United States District Judge

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

R. Lawrence
 By R. Lawrence

Defendant's SSN: 446-52-8347

Defendant's Date of Birth: 05/18/50

Defendant's residence and mailing address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, Oklahoma, 74103

Defendant: JOSEPH ERASTO AVILA
Case Number: 95-CR-042-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 110 months; 50 months on Count 1, and 60 months on Count 2. The sentence on Count 2 is consecutive to the sentence imposed in Count 1.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JOSEPH ERASTO AVILA
Case Number: 95-CR-042-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years on Count 1; 3 years on Count 2, each count to run concurrently with the other.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JOSEPH ERASTO AVILA
Case Number: 95-CR-042-001-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JOSEPH ERASTO AVILA
Case Number: 95-CR-042-001-C

RESTITUTION AND FORFEITURE

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

A 1988 Mercury Cougar automobile, a 1984 Chevrolet Van, a coin collection valued at \$2,093, \$35,822 in U.S. Currency, and \$7,699.62 from a bank account maintained at local American Bank and Savings.

Defendant: JOSEPH ERASTO AVILA
Case Number: 95-CR-042-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	25
Criminal History Category:	III
Imprisonment Range:	70 months to 87 months, Ct. 1 60 months, Ct. 2
Supervised Release Range:	4 to 5 years, Ct. 1 2 to 3 years, Ct. 2
Fine Range:	\$ 12,500 to \$ 2,000,000, Cts. 1 and 2
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The Court finds that the defendant's conduct constitutes extraordinary acceptance of responsibility and is a mitigating circumstance of a kind and to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines and that it should result in a sentence different from that prescribed. Therefore, the Court departs to a sentence of 50 months.



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED**AUG 11 1995**

UNITED STATES OF AMERICA

v.

Case Number 95-CR-028-001-C

Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

TOMMY CLYDE MAYES
 Defendant.

ENTERED ON DOCKET
DATE 8-11-95

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, TOMMY CLYDE MAYES, was represented by Stephen J. Knorr.

The defendant pleaded guilty to count(s) 2 of the Indictment on May 4, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	10/27/92	2

As pronounced on August 8, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 2 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 11th day of August, 1995.



The Honorable H. Dale Cook
 United States District Judge

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By R. Miller
 Deputy

Defendant's SSN: 448-58-1651

Defendant's Date of Birth: 01/10/53

Defendant's residence and mailing address: 1001 Rear E. 8th St., Tulsa, Oklahoma 74120

Defendant: TOMMY CLYDE MAYES
Case Number: 95-CR-028-001-C

PROBATION

The defendant is hereby placed on probation for a term of 3 year(s).

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: TOMMY CLYDE MAYES
Case Number: 95-CR-028-001-C

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 250.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: TOMMY CLYDE MAYES
Case Number: 95-CR-028-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	4
Criminal History Category:	III
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ N/A

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

ef

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 95-CR-008-001-C

AUG 11 1995

DONALD LEE SNYDER
Defendant.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

ENTERED ON DOCKET

DATE 8-11-95

The defendant, DONALD LEE SNYDER, was represented by Timothy Mitchell.

On motion of the United States the court has dismissed count(s) All remaining counts of the Indictment.

The defendant pleaded guilty to count(s) 1, 12, and 24 of the Indictment on April 12, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1341 & 2	Mail Fraud and Causing a Criminal Act	12/01/94	1,12, and 24

As pronounced on August 8, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150.00, for count(s) 1, 12, and 24 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 11th day of August, 1995.

H. Dale Cook
The Honorable H. Dale Cook
United States District Judge

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. Muller
Deputy

Defendant's SSN: 513-40-7024

Defendant's Date of Birth: 06/16/39

Defendant's residence and mailing address: 14300 North Pennsylvania, Oklahoma City, Oklahoma 73104

Defendant: DONALD LEE SNYDER
Case Number: 95-CR-008-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months in counts 1, 12, and 24, as to each count to run concurrently.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before noon on October 16, 1995.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: DONALD LEE SNYDER
Case Number: 95-CR-008-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in counts 1, 12, and 24, as to each count to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DONALD LEE SNYDER
Case Number: 95-CR-008-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$12,000 on Count 1.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Transok Inc. Attn: Tim Reid Manager of Gas Supply Accounting P.O. Box 3008 Tulsa, Oklahoma 74101-3008	\$3,000.00
Conoco, Inc. Attn: James Sweeney Senior Investigator P.O. Box 4783 Houston, Texas 77210-4783	\$2,520.00
Oryx Energy Company Attn: Curtis Hayes Security Manager P.O. Box 2880 Dallas, Texas 75221-1880	\$6,480.00

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: DONALD LEE SNYDER
Case Number: 95-CR-008-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months, Cts. 1, 12, and 24
Supervised Release Range:	2 to 3 years, Cts. 1, 12, and 24
Fine Range:	\$ 3,000 to \$ 30,000, Cts. 1, 12, and 24
Restitution:	\$ 139,416

The fine is waived or is below the guideline range because of the defendant's inability to pay.

Full restitution is not ordered for the following reason(s): Because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG 9 - 1995

UNITED STATES OF AMERICA

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

v.

Case Number 94-CR-176-001-BU

PETER JOSEPH McMAHON
Defendant.

ENTERED ON DOCKET

DATE 8-10-95

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, PETER JOSEPH McMAHON, was represented by Stephen Greubel.

The defendant was found guilty on count(s) 1,2, and 3 of the Superseding Indictment on March 23, 1995 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

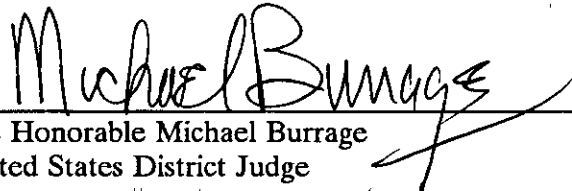
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1) and 924(e)(1)	Possession of a Firearm After Former Felony Conviction	09/09/94	1
18 USC 922(g)(1) and 924(e)(1)	Possession of Firearm Ammunition After Former Felony Conviction	09/09/94	2
18 USC 924(c)(1) and 18:2	Possession of a Firearm in Relation to a Drug Trafficking Crime and Aiding & Abetting	09/09/94	3

As pronounced on August 2, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150.00, for count(s) 1,2, and 3, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8th day of August, 1995.


The Honorable Michael Burrage
United States District Judge


Defendant's SSN: 443-46-5092

Defendant's Date of Birth: 01/09/48

Defendant's residence and mailing address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, Oklahoma 74103

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Richard M. Lawrence, Clerk

By 
Deputy

76.

Defendant: PETER JOSEPH McMAHON
Case Number: 94-CR-176-001-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 295 months: 235 months on each counts 1 and 2, both counts 1 and 2 to run concurrently, each to the other; 60 months on count 3 to run consecutive to the sentence imposed in counts 1 and 2.

The Court makes the following recommendations to the Bureau of Prisons: Defendant be designated to a Bureau of Prisons Facility equipped to provide intensive substance abuse treatment while in custody of Bureau of Prisons.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: PETER JOSEPH McMAHON
Case Number: 94-CR-176-001-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years on counts 1 and 2 as to each count to run concurrently, and 3 years on count 3 to run concurrent with counts 1 and 2.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
6. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: PETER JOSEPH McMAHON
Case Number: 94-CR-176-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except the Court strikes paragraph 22 and the additional 4 point enhancement for a total offense level prior to application of chapter 4 enhancement of 26 instead of level 30.

Guideline Range Determined by the Court:

Total Offense Level:	33
Criminal History Category:	VI
Imprisonment Range:	235 months to 293 months - Cts. 1 and 2 60 months - Ct. 3, consecutive to Cts. 1 and 2
Supervised Release Range:	3 to 5 years - Cts. 1 and 2 2 to 3 years - Ct. 3
Fine Range:	\$ 17,500 to \$ 175,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: Low end of guideline range is sentence imposed due to the defendant's expected advanced age at release.

ev

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

AUG 9 - 1995

UNITED STATES OF AMERICA

v.

Case Number 95-CR-060-001-B

 Richard M. Lawrence, Clerk
 U. S. DISTRICT COURT
 NORTHERN DISTRICT OF OKLAHOMA

 PETER JOSEPH McMAHON
 Defendant.

ENTERED ON DOCKET

DATE 8-10-95

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

The defendant, PETER JOSEPH McMAHON, was represented by Michael G. McGuire.

The defendant pleaded guilty to count(s) 1 of the Indictment on July 17, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):


<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Present False Statements to the Court	03/22/95	1

As pronounced on August 2, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8th day of August, 1995.


 The Honorable Michael Burrage
 United States District Judge

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By R. Miller
 Deputy

Defendant's SSN: 443-46-5092

Defendant's Date of Birth: 01/09/48

Defendant's residence and mailing address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, Oklahoma 74103

Defendant: PETER JOSEPH McMAHON

Case Number: 95-CR-060-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months, to run concurrently with Counts 1 and 2 in Northern District of Oklahoma Case No. 94-CR-176-001-BU.

The Court makes the following recommendations to the Bureau of Prisons: The defendant be designated to a Bureau of Prison Facility equipped to provide intensive substance abuse treatment while in custody of Bureau of Prisons.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: PETER JOSEPH McMAHON

Case Number: 95-CR-060-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: PETER JOSEPH McMAHON
Case Number: 95-CR-060-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	20
Criminal History Category:	VI
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

17

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

AUG 8 1995

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)

Plaintiff)

VS)

TIOMTHY LEWIS CATRON)

Defendant)

Case Number: 92-CR-021-001-E

ENTERED ON DOCKET

DATE 8/9/95

ORDER REVOKING SUPERVISED RELEASE

Now on this 4th day of August 1995, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on May 26, 1995. The defendant is present in person and represented by counsel, Robert Mayes. The Government is represented by Assistant U.S. Attorney Charles McLoughlin, and the United States Probation Office is represented by Larry Morris.

The defendant was heretofore convicted by a jury on Count One and Count Two of a two-count Indictment which charged him with Possession Of Firearm By Convicted Felon, in violation of 18 U.S.C. §§ 922(g) and 924(a)(2). On October 30, 1992, Catron was committed to the custody of the U. S. Bureau Of Prisons for a term of thirty-five months to be followed by a three year term of supervised release as to each count, to run

United States District Court,
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By

Deputy

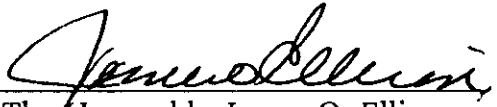
concurrently. In addition, he was ordered to pay a \$100 Special Monetary Assessment and a fine in the amount of \$2,500. In addition, the following special condition of supervision was ordered: The defendant shall participate in an alcohol and drug treatment program, as directed by the U.S. Probation Office.

On July 21, 1995, a revocation hearing was held regarding the allegations noted in the Petition on Supervised Release, filed on May 26, 1995, said allegations being that on March 27, 1995, and May 6, 1995, the defendant submitted urine specimens which tested positive for Amphetamines 1000 and Methamphetamine use. On May 7, 1995, Catron was arrested at Freedom House for Public Intoxication and Disturbance. He was subsequently discharged from the program. The defendant stipulated to the allegations in the Petition and sentencing was set for August 4, 1995.

On August 4, 1995, as a result of the sentencing hearing, the Court found that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constituted Grade C violations in accordance with U.S.S.G. § 7B1.1(a)(3), and that the defendant's original criminal history category of VI was applicable for determining the imprisonment range. In addition, the Court found that Grade C violations and a criminal history category of VI establish a revocation imprisonment range of eight to fourteen months. In consideration of these findings and pursuant to U.S. vs. Lee, 957 F2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following was ordered:

The defendant is committed to the custody of the U. S. Bureau of Prisons to be imprisoned for a term of twelve months and one day. The Court recommends that the defendant receive treatment for drug and alcohol addiction while incarcerated. It is further ordered that the original fine order of \$2,500, with a current balance of \$1,875, will remain in effect.

The defendant is remanded to the custody of the U.S. Marshal for transportation to the designated Bureau Of Prisons' Institution.


The Honorable James O. Ellison
United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET

DATE 8-9-95

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH AVILA,

Defendant.

CASE NO. 95-CR-42-C

FILED

AUG 8 - 1995

ORDER OF FORFEITURE

Richard M. Edwards, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Based upon the Consent Decree for Forfeiture entered into between the parties in the above-styled case, and for the reasons stated at bar, it is hereby

ORDERED, ADJUDGED, AND DECREED that pursuant to 21 U.S.C. § 853 each of the following properties is hereby condemned and forfeited to the United States of America:

1. One 1988 Mercury Cougar,
VIN 2GCE025H8E41275470.
2. One 1984 Chevrolet Van,
VIN 1MEBM60F7JH605350.
3. Coin Collection seized
March 17, 1995, from
defendant's residence at
401 North Washington,
Sand Springs, Oklahoma.
4. \$35,822.00 In United
States Currency.

5. \$7,699.62 Proceeds from Savings Account No. 001261684 of Local America Bank, Tulsa, Oklahoma.
6. \$2,860.00 In United States Currency.
7. Assorted Jewelry, as described more particularly in Exhibit "A" attached.
8. Canon AE1, 35 Millimeter Camera with Vivitar Zoom Lens.

The Court finds that the above-listed forfeited assets constitute, or are derived from, proceeds the Defendant obtained, directly or indirectly, as a result of his violation of 21 U.S.C. § 841, or are property used, or intended to be used in any manner or part to commit and to facilitate the commission of such violation, and are thereby subject to forfeiture pursuant to 21 U.S.C. § 853, and pursuant to the Consent Decree for Forfeiture filed August 3, 1995.

IT IS FURTHER ORDERED that each of the above-listed properties shall be seized forthwith by the United States Marshal for the Northern District of Oklahoma or by the United States Department of the Treasury, or their respective duly authorized representative, and disposed of according to law.

ENTERED this 8th day of August, 1995.

(Signed) H. Dale Cook

H. DALE COOK, Senior United States
District Judge

N:\UDD\CHOOK\FC\AVILA1\04751

PINV

UNITED STATES MARSHALS SERVICE
SEIZED ASSET MANAGEMENT SYSTEM

PAGE: 1

SAMSP02	SEIZED ASSET MANAGEMENT SYSTEM	DATE: 07/19/95
DISTRICT :62	PROPERTY INVENTORY (PINV)	TIME: 14:07
SUBOFFICE : 0		
PROPERTY NUMBER : MG-95-0012 - 10- 1 PROPERTY CATEGORY : J JEWELRY		
DESCRIPTION : ASSORTED JEWELRY		
INVENTORY LIST :		
1 ROPE BRACELET 14K YG 10GM \$100.00		
2 V-LINK BRACELET 14K YG 11GM \$110.00		
3 ROPE BRACELET 14K YG 6GM \$60.00		
4 TENNIS BRACELET 14K YG 52 CHIP DIAMONDS \$225.00		
5 MAN'S RING 10K YG CHANNEL SET W/5 SM DIAMOND CHIPS \$90.00		
6 MAN'S RING 14K YG W/5 DIAMONDS .5 CT \$275.00		
7 MAN'S RING 14K YG W/1 8PT DIAMOND & 4 SMALL DIAMONDS \$250.00		
8 MAN'S RING 14K YG W/12 SMALL DIAMONDS \$395.00		
9 MAN'S CLUSTER RING 14K YG W/16 SM DIAMONDS 1 CT \$450.00		
10 MAN'S NUGGET RING 14K YG W/6 SMALL DIAMONDS CHANNEL SET \$175.00		
11 MAN'S FASHION RING 14KT YG W/BLUE STONE & 2 TRIANGLE CUT DIAMONDS \$425.00		
12 LADIES HORSESHOE RING 14K YG W/9 SMALL DIAMONDS \$250.00		
13 LADIES RING W/COIN SINGAPORE HORSE \$125.00		
14 L/DIAMOND DROP HEART SHAPED W/17 SMALL SINGLE CUT DIAMONDS YG \$250.00		
15 SET SMALL DIAMOND EAR STUDS APPROX 5PT TW\$50.00		
16 SET SMALL DIAMOND EAR STUDS ON WHITE CARD 7PT TW YG \$75.00		
17 MAXIMILLIAN RING YG COIN \$40.00		
18 NUGGET 14K YG 2.5GM \$20.00-25.00		
19 RING, FREE FORM V SHAPE 10KT YG \$40.00		

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL PATRICK PATTON,

Defendant.

No. 95-CR-99-C

FILED

AUG 3 1995 *hr*

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

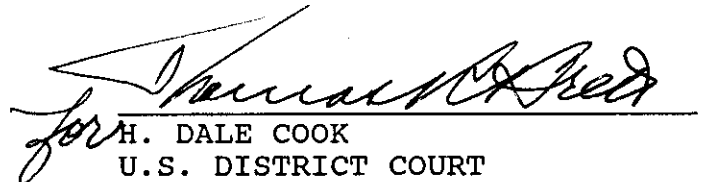
ENTERED ON DOCKET

DATE 8-8-95

ORDER

Now on this 3rd day of ~~July~~/August, 1995, this cause comes on to be heard in the matter of the plaintiff's motion to dismiss the Information in the above styled cause. The Court finds that said motion ought to be granted and the Information is dismissed without prejudice.

IT IS SO ORDERED.

for 
H. DALE COOK
U.S. DISTRICT COURT

PROB 22
(Rev. 2/88)

TRANSFER OF JURISDICTION

DOCKET NUMBER (Tran. Court)

94-CR-041-002

DOCKET NUMBER (Rec. Court)

NAME AND ADDRESS OF SUPERVISED RELEASEE

Tyler Dave Stewart
Atlanta, Georgia

DISTRICT

Northern District of Oklahoma

DIVISION

U. S. Probation Office

NAME OF SENTENCING JUDGE

Thomas R. Brett

DATES OF SUPERVISED
RELEASE:

FROM
January 5,
1995

TO
January 4,
1998

OFFENSE

Conspiracy

Making, Uttering and Possessing of a Forged Security

FILED

AUG 7 1995

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

PART 1 - ORDER TRANSFERRING JURISDICTION

EDD 8/8/97

UNITED STATES DISTRICT COURT FOR THE Northern District of Oklahoma

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the supervised releasee named above be transferred with the records of the Court to the United States District Court for the Northern District of Oklahoma upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.

6-28-95
Date

Thomas R. Brett
United States District Judge

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE Northern District of Georgia

IT IS HEREBY ORDERED that jurisdiction over the above-named supervised releasee be accepted and assumed by this Court from and after the entry of this order.

7/20/95
Effective Date

Charles C. Cooper
United States District Judge

14

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

AUG - 2 1995 *de*Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 95-CR-046-001-B

DELORES MORGAN
 Defendant.

ENTERED ON DOCKET
 AUG - 2 1995
 DATE _____

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, DELORES MORGAN, was represented by William D. Lunn.

On motion of the United States the court has dismissed count(s) 2 of the Indictment.

The defendant pleaded guilty on May 5, 1995, to count(s) 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21:846, 841(a)(1) and 841(b)(1)(B)(ii)	Conspiracy to Distribute Controlled Substances	03/28/95	1

As pronounced on July 28, 1995, the defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 2nd day of August, 1995.


 The Honorable Thomas R. Brett
 Chief United States District Judge

Defendant's SSN: 552-47-6374


Defendant's Date of Birth: 01/27/71

Defendant's residence and mailing address: 37833 Silkwood Lane; Palm Dale, California 93

United States District Court) ss
 Northern District of Oklahoma)

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Richard M. Lawrence, Clerk

By 
 Deputy

Defendant: DELORES MORGAN

Case Number: 95-CR-046-001-B

PROBATION

The defendant is hereby placed on probation for a term of 5 year(s).

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence on August 7, 1995. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DELORES MORGAN

Case Number: 95-CR-046-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	19
Criminal History Category:	I
Imprisonment Range:	60 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 6,000 to \$ 2,000,000
Restitution:	\$ N/A

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reason(s): Upon motion of the government, as a result of defendant's substantial assistance.



w

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

AUG - 2 1995

UNITED STATES OF AMERICA

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

v.

Case Number 95-CR-032-001-B

DAVID RAY GUTHRIE
Defendant.

ENTERED ON DOCKET

DATE AUG - 2 1995
United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.
By Richard M. Lawrence, Clerk
Deputy

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, DAVID RAY GUTHRIE, was represented by Craig Bryant.

The defendant was found guilty on April 25, 1995, to count(s) 1, 3, and 4 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:371	Conspiracy to Utter Fraudulently Endorsed Stolen U. S. Savings Bonds	03/03/93	1
18:510(a)(1) & 2	Forgery of Endorsement or Signature on U. S. Savings Bonds and Causing a Criminal Act	03/03/93	3
18:510(a)(2)	Uttering Fraudulently Endorsed U. S. Bonds	03/03/95	4

As pronounced on July 28, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150, for count(s) 1, 3, and 4 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 2nd day of August, 1995.


The Honorable Thomas R. Brett
Chief United States District Judge

Defendant's SSN: 440-58-4736

Defendant's Date of Birth: 01/13/57

Defendant's residence and mailing address: Route 1, Pine & North Streets, Big Cabin, Oklahoma 74332

Defendant: DAVID RAY GUTHRIE

Case Number: 95-CR-032-001-B

PROBATION

The defendant is hereby placed on probation for a term of 4 year(s) on each count, to run concurrently.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.

STANDARD CONDITIONS OF PROBATION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: DAVID RAY GUTHRIE
Case Number: 95-CR-032-001-B

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 1,000 as to Count 1 of the Indictment. This fine shall be paid in regular installment payments by the defendant during the first two (2) years of probation.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: DAVID RAY GUTHRIE
Case Number: 95-CR-032-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	8
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months - Cts. 1, 3, & 4
Supervised Release Range:	2 to 3 years - Cts. 1, 3, & 4
Fine Range:	\$ 1,000 to \$ 10,000 - Cts. 1, 3, & 4
Restitution:	\$ N/A

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 2 1995

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
TYLER FITZGERALD,)
)
Defendant.)

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

No. 94-CR-163-E

ENTERED ON DOCKET
DATE 8/2/95

ORDER FOR DISMISSAL

Now on this 2nd day of August 1995 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, with prejudice, the Indictment against defendant Tyler Fitzgerald, in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Tyler Fitzgerald, is dismissed, with prejudice.

IT IS SO ORDERED.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk

By R. M. Cullough
Deputy

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

AUG 1 1995

UNITED STATES OF AMERICA

v.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Case Number 94-CR-163-001-E

ENTERED ON DOCKET

DATE 8/1/95

JERRY DALE CRINER
Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JERRY D. CRINER, was represented by John Lacey.

On motion of the United States the court has dismissed count(s) 1-4 of the Indictment.

The defendant pleaded guilty to count(s) 5 of the Indictment on February 3, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

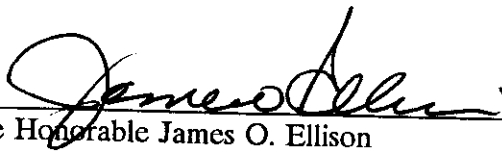
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
31 USC 5324(3) and 18 USC 2	Structuring Transactions to Avoid Reporting Requirements and Aiding & Abetting	08/19/93	5

As pronounced on July 21, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 5 of the Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 31st day of July, 1995.

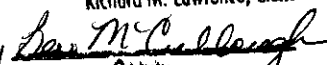

The Honorable James O. Ellison
United States District Judge

Defendant's SSN: 442-54-2675

Defendant's Date of Birth: 12/09/48

Defendant's residence and mailing address: Rt. 2, Box 2-3, Claremore, Oklahoma 74017

United States District Court)
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By 
Deputy

Defendant: JERRY DALE CRINER
Case Number: 94-CR-163-001-E

Judgment--Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months and one day.

The Court makes the following recommendations to the Bureau of Prisons: Recommends to the Bureau of Prisons that Criner be placed at the facility in Springfield, Missouri, if such a designation can be made.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on August 21, 1995.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JERRY DALE CRINER
Case Number: 94-CR-163-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
6. The defendant is prohibited from illegal gambling.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JERRY DALE CRINER
Case Number: 94-CR-163-001-E

FINE

The defendant shall pay a fine of \$ 2,000. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JERRY DALE CRINER
Case Number: 94-CR-163-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	11
Criminal History Category:	III
Imprisonment Range:	12 months to 18 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 3,000
Restitution:	\$ N/A

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

CW

FILED

AUG - 1 1995

Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-133-001-B

JAMES LEON THOMPSON
Defendant.

ENTERED ON DOCKET

DATE AUG - 1 1995

AUG - 1 1995

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, JAMES LEON THOMPSON, was represented by Alvin Berry.

The defendant pleaded guilty on April 28, 1995, to count(s) 1 through 18 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

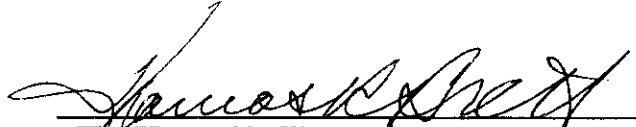
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:1343 & 2(b)	Wire Fraud and Causing a Criminal Act	02/26/94	1 - 18

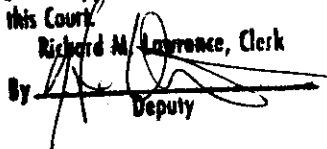
As pronounced on July 28, 1995, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ \$900, for count(s) 1 through 18 of the Superseding Indictment, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 1st day of August, 1995.


The Honorable Thomas R. Brett
Chief United States District Judge

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.
Richard M. Lawrence, Clerk
By  Deputy

Defendant's SSN: 450-70-5637

Defendant's Date of Birth: 02/12/44

Defendant's residence and mailing address: 2303 Monte Vista; Carlsbad, New Mexico 88220

Defendant: JAMES LEON THOMPSON
Case Number: 95-CR-133-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 2 months as to each count to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: Serve custody term in Odessa, Texas, Community Confinement Center. If not available, serve time in El Paso, Texas, Community Confinement Center.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on September 5, 1995.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JAMES LEON THOMPSON

Case Number: 95-CR-133-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to each count, to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 3 months, to commence within 72 hours of release date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state, or local crime. In addition:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: JAMES LEON THOMPSON
Case Number: 95-CR-133-001-B

FINE

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

The defendant shall pay a fine of \$ 5,000 as to Count 2. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: JAMES LEON THOMPSON
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RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$35,046.39 as to Count 1.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Parker Drilling Company ATTN: Kathy Kucharsk 8 East Third Street Tulsa, OK 74103	\$35,046.39

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

Defendant: JAMES LEON THOMPSON
Case Number: 95-CR-133-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, EXCEPT that the Court found that, due to the facts of this case and the government's position, a 2 level enhancement for abuse of position of trust is not appropriate. The offense level is therefore reduced by 2 to level 10.

Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months - Cts. 1-18
Supervised Release Range:	2 to 3 years - Cts. 1-18
Fine Range:	\$ 2,000 to \$ 20,000 - Cts. 1-18
Restitution:	\$ 35,046.39 - Ct. 1

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.